



**TOWNSHIP OF GALLOWAY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING AND ZONING BOARDS**

300 E. JIMMIE LEEDS ROAD GALLOWAY, NJ 08205
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Pamela K. Alleyne
Planning/Zoning Board Administrator

**MINUTES
GALLOWAY TOWNSHIP
ZONING BOARD OF ADJUSTMENTS
February 15, 2007**

Present: Richard Catando, Lynn Fittipaldi, Martha Gaines, Frank Gargione,
Patrick Hathaway, Ron Huber, Anthony Leonard and Mark Sykes

Absent: Carl Crowley

Minutes: January 18, 2007 Approved

Approval of Bill List: February 15, 2007 Approved

Approval of Resolutions:

#1-07 Solicitor, #2-07 Engineer and #3-07 Conflict Engineer

Approval of Professional Contracts:

John Rosenberger and Doran Engineers

New Appeals:

**#29-06 Alvin Bowen. B. 1169.05 L. 36
Accessory Structure and Rear Yard Setbacks
Zone: NR (Neighborhood Residential)**

Proposed: The applicant proposes to construct a 40ft x24ft.x 8ft. walled Pole Barn/ Garage in the rear/side of the existing dwelling. The existing dwelling is approximately 2,000 sq ft. The proposed structure is only 960 sq ft in area, but the total sq footage of accessory structures on the property including the proposed accessory structure will be 2,240 sq ft, which requires a variance. Also the ordinance requires a 15ft rear yard setback. A 5ft minimum rear yard setback will be provided.

The applicant was well as Ken Sooy presented the application.

Start tape #1 count 327. End tape #1 count 423.

The applicant wants to save the existing trees that are on the property. The lot is long and narrow and this was the best place to place the pole barn in order not to have to remove any trees. The pole barn will not be visible from the road. It will be a dark brown building. The two existing sheds will be removed and replaced with this proposed pole barn.

No Public Comments

Motion to approve application #29-06 Bowen; Accessory Structure and Rear Yard Setback was made by Fittipaldi and Leonard 2nd the motion.

Those voting in favor: Fittipaldi, Gargione, Hathaway, Huber, Leonard, Catando and Sykes

Begin at tape #1 count 311. End at tape# 1 count 719. 7:40pm – 7:55pm

#3-07 Dave and Annie Maxwell.

B. 1260.01 L. 34.01. 115A Leeds Point Drive.

Side Yard Setback

Zone: NR (Neighborhood Residential)

Proposed: The applicant proposed to construct a single-family house on a flag lot.

Flag lots require twice the minimum side yard. Requires side yard is 30'.

Proposed: 15'.

Dave Maxwell represents himself.

Start tape #1 count 733. End tape #1 count 850.

The applicant has no desire to remove any more trees than necessary. They would also have to relocate the garage. The adjacent property is a five-acre flag lot and will not be affected by the granting of this variance.

No Public Comments

Motion to approve application #3-07 Maxwell; Side Yard Setback was made by Huber and Fittipaldi 2nd the motion.

Those voting in favor: Fittipaldi, Gargione, Hathaway, Huber, Leonard, Catando and Sykes

Begin at tape #1 count 725. End at tape# 1 count 888. 7:56pm – 8:05pm

#25-06 William and Marion Gabriel. B. 526 L. 3

Use Variance

Zone: HC-2 (Highway Commercial)

Proposed: The applicant is requesting a use variance to construct a single family dwelling on a commercially zoned property. The property is located on Pomona Rd in the Highway Commercial Zoning District. The property currently contains a single-family dwelling that needs to be demolished in order to facilitate intersection improvements with Pomona Rd and the WHP. The applicant has lived in this location for over 55 years. Since single-family dwellings are only permitted as existing uses, a variance is required. Front Yard Setback Required: 100'. Proposed: 75'. Side Yard Setback Required: 50'. Proposed: 39'. Rear Yard Setback Required: 50'. Proposed: 49'.

This applicant received Board approval November 2, 2006 for a front yard setback. However they are requesting a change from 75' to 60' due to the covered porch. Under the same appeal they are requesting a change on the right side yard setback from 50' to 40'. This change is to allow for a larger one-car garage. This setback will be consistent with the left side yard setback.

The applicant is represented by Charlie Weeks, relative.

No Public Comments

Motion to approve the amendment to #25-06 Gabriel; Side Yard and Front Yard Setback was made by Fittipaldi and Catando 2nd the motion.

Those voting in favor: Fittipaldi, Gargione, Hathaway, Huber, Leonard, Catando and Sykes

Begin at tape #1 count 902. End at tape# 1 count 1013. 8:05pm – 8:10pm

#28-06 DeMarsico/McCullum.

B. 271.02 L. 1&3

Bremen Avenue and Indiana Cabin Rd.

Interpretation/Appeal

Zone: FA- 20

Proposed: The applicants are seeking a variance from the pavement requirements of the Township Ordinance to allow for the development of 2 single family dwellings on properties fronting the existing gravel roadways of Bremen Avenue and Indian Cabin Road.

The applicant is represented by Tom Darcy.

Start tape #1 count 1040. End tape #1 count 1645.

The applicants seek a planning variance. The cost of improving the street is cost prohibitive. 2,200 ft of roadway would have to be paved. In addition to improving the road drainage and curbing would also have to be constructed. This could cost well over \$100,000. Egg Harbor City has already been responsible for grading the road on a monthly basis. They make it safe for the school bus that accesses the road in order to pick up school children in the area. Bremen Avenue is well drained. The applicant and the Township of Galloway have agreed to a contribution of \$20,000 so that Egg Harbor City and Galloway will continue to grade and maintain the road. The land near the properties will unlikely be developed because it had to be deed restricted as part of Renault Winery. The further lots are FA-20 and contain wetlands. On the other side of the street in Egg Harbor City and the lot sizes are small. There are also no public utilities in the area.

Professional Comments:

Start tape #1 count 1772. End tape #1 count 1826.

Tiffany Cuiello, comments on her report dated February 7, 2007. Expressed the need for the applicant to provide proof under the Planning Variance if what has been presented can be justified in providing the variance. If the gravel road is acceptable and safe is an engineering issue.

Start tape #1 count 1648. End tape #1 count 1769.

Kevin Dixon, Conflict Engineer comments on his report dated February 1, 2007. He comments that is the Public Works Department desire to maintain the road and not have the applicant made responsible for the maintenance. Upon issuance of the first building permit the applicant is to pay the \$20,000 contribution. The trips generated by one or two single-family homes will not have a significant impact on the road. The Township will maintain the portions of Indian Cabin Rd and Bremen Avenue that front these houses.

Public Comments:

Start tape #1 count 2907. End tape #1 count 3066.

Joe Milza, Owner of Renault Winery and family member requests that the board consider that that instead of having to pay the entire \$20,000 upon the first building permit that each pay \$10,000 upon obtaining the individual the building permit.

Finding and Facts:

Start tape #1 count 3289. End tape #1 count 3479.

Board Members Fittipaldi, Gaines, Gargione, Hathaway, Huber, Leonard, Catando and Sykes state that the application presented was strong and well presented. They emphasized that the possibility of further development was slim and that the additional homes will not create a large volume of road use. The properties and the surrounding properties are family owned and operated. Expressed concern but the concerns were alleviated about the safety of the gravel road.

Council Summary:

Start tape #1 count 3481. End tape #1 count 3498.

John summarizes the application.

Motion to approve application #28-06 Demarisco/McCullum was made by Leonard and Hathaway 2nd the motion.

Those voting in favor: Fittipaldi, Gargione, Hathaway, Huber, Leonard, Catando and Sykes

Begin at tape #1 count 1044. End at tape# 1 count 3519. 8:21pm – 9:35pm

Meeting Adjourned

9:45pm

Pamela Alleyne, Administrator